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September 27th, 2023

Jason Richardson, AUSA
Lindsey Harteis, AUSA
U.S. Attorney's Office
401 Market Street 4th Floor,
Camden, NJ, 08101-2098

Re: United States v John Grier III
(Crim. No. 21-524)

Dear Mr. Richardson and Ms. Harteis:

Please accept this letter and the attachments as further response to your ongoing discovery request pursuant to Rule 16. Our expert, Emanuel Kapelsohn, has provided me with additional information that is responsive to some of your earlier requests.

Attached please find (1) training materials that Mr. Kapelsohn provided to the audiences of three or four separate Pepper Gel training sessions during the past few years; (2) a list of cases in which Mr. Kapelsohn testified either at trial or via deposition as an expert; (3) a video of Mr. Kapelsohn being pepper sprayed. (We are awaiting the physical zip drive.)

Finally, I would like to make a correction to my previous response to your question #10. In preparation for rendering his opinions on this matter, Mr. Kapelsohn spoke by telephone with Mitchell Johnson of Security Equipment Corporation, the manufacturer of the Sabre OC (pepper spray), the OC spray which was used during the incident at bar. (Report pg. 2) Further, Mr. Kapelsohn confirmed by the manufacturer that the contents (active ingredient) of both the duty-belt unit and the "crowd control" unit are the same. (Report pg. 32) To the best of his knowledge and recollection Mr. Kapelsohn does not have any notes regarding those conversations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stacy Biancamano". The signature is fluid and cursive, with the first name "Stacy" written in a larger, more prominent script than the last name "Biancamano".

Stacy Biancamano, Esq.
Attorney for Defendant, John Grier III

Stuart Alterman, Esq.
Attorney for Defendant, John Grier III

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff

Criminal No. 21-524 (JHR)

v.

JOHN GRIER III,

Defendant

CERTIFICATION OF EMANUEL KAPELSOHN

I, Emanuel Kapelsohn do hereby certify that:

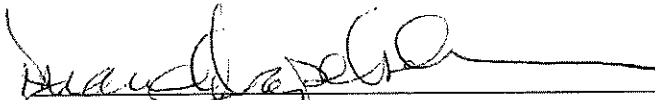
1. I am the President of the Peregrine Corporation, and I have been retained by the above-captioned defendant as an expert in the use of OC spray (commonly known as "pepper spray").

2. My extensive experience with the full range of OC products, their use in law enforcement and security, and their effects, allows me to offer opinions that may assist the jury regarding OC spray and its use in this case.

3. I have reviewed the government's request for additional expert materials, and I have discussed each of the 11 separate requests with defense counsel. I answered the questions to the best of my knowledge, and defense counsel Stacy Biancamano, Esq., incorporated my answers into the memorandum (dated 9-18-23) that she submitted to the government's counsel in response to the request for additional expert materials.

4. I certify that all of the answers that I provided to defense counsel and which are contained in the 9-18-23 memorandum, as modified by counsel's 9-27-23 memorandum, are true to the best of my knowledge.

Date: 9-27-23


EMANUEL KAPELSOHN

Pepper Gel Training Outline - 5/19/2021 - Prepared by E. Kapelsohn

Pepper spray (or pepper gel) – technically **oleoresin capsicum** (or “OC”) – is made from the extract of hot habanero peppers, usually grown in Mexico and Central America. It is similar to the “capsaicin” athletic ointments used to produce topical heat and relieve muscle aches. It is not toxic, although as with any substance (including aspirin, seafood, peanuts, etc.) a relatively few individuals may have serious allergic reactions to it.

OC comes in various forms, including stream, splatter-stream, aerosol spray, cone-shaped mist, foam, and gel. The main advantages of gel are that it sprays fairly well in a cross-wind or into a light wind, and has very little “cross-contamination” – that is, effect on bystanders, even ones close to the intended target.

The effective range of your pepper gel unit on a windless day is about 7-10 feet. Your keychain-sized unit contains about six (6) one-second bursts, which is the recommended burst duration. From a larger MK-3 unit, recommended burst duration is one-quarter second.

OC is an **inflammatory** agent. It causes inflammation of the mucous membranes of the eyes and the subject’s airways; it also causes pain to the eyes and to delicate skin of the face, lips, etc. The usual reaction is an involuntary shutting of the subject’s eyes, pain to the eyes/face/ and possibly difficulty in breathing. The effects usually wear off in about 45-60 minutes, or sooner if the face is flushed with cool water.

Because someone affected by OC may not be able to see, you may be responsible for being sure someone you have sprayed doesn’t fall down a flight of stairs, wander out into traffic, walk into running machinery, etc.

If YOU are pepper sprayed, you can hold your eyelid open using your thumb and forefinger so that you can run, shoot, dial a cell phone, drive, or do other necessary tasks.

Treatment for anyone who has been affected by OC includes: Remove contact lenses if worn; flush face with copious quantities of cool running water; get the person into fresh air (use fans if available); remove OC-affected clothing is feasible. DO NOT rub the eyes, and DO NOT use salves, creams or lotions, as these will trap the pepper against the skin. You can use Johnson & Johnson “No Tears” Baby Shampoo to remove OC from your hair. DO NOT allow the shampoo and suds to run down over your body; lean forward so it drips directly from your hair into the shower drain.

OC Tactics: Have the OC unit in your hand in dangerous areas/situations. DO NOT WARN the threat – just spray, before the threat knows what you are doing. Aim for the eyes, and move the unit around to hit the target effectively. Then run away. “SPRAY – THEN GET AWAY!”

As with any other use of force, your use of OC must be objectively reasonable. This will typically mean you must reasonably fear that you or other innocent persons will suffer bodily harm if you don’t use the OC.

You cannot take OC into a courthouse, federal building, or into the secured area of an airport. It cannot be carried onto an airliner in your carry-on luggage, but can be packed in your checked luggage. It should be in a plastic case (Tupperware?) or other protective container in your luggage to prevent inadvertent discharge. You cannot take OC into Canada.

Pepper Gel Training - October 2021

Instructor: Emanuel Kapelsohn

What is Pepper Spray? "Pepper Spray" (or "OC," which stands for oleoresin capsicum) is an aerosol-type self-defense spray, containing the organic extract of hot habanero peppers ("chili peppers") of the genus *Capsicum*. The peppery substance it contains is similar to the "capsaicin" contained in many athletic liniments and creams, used to relieve muscle aches.

Pepper Spray (or "OC") is an inflammatory agent that inflames the mucus membranes of the eyes and respiratory system. It can also cause a burning sensation on sensitive skin areas, such as the face of some people sprayed with it. (It is sometimes referred to as an "irritant," but inflammatory is more correct terminology. It is not a "lachrymatory" (tear-producing) agent, such as the older "teargas," nor is it "mace," which is the trademarked product of the MSI Mace Company, and is not a pepper-based product.

Pepper spray in various forms has been widely used for over 30 years by U.S. law enforcement agencies, including federal agencies, and by private individuals. In the majority of instances, it is temporarily incapacitating, but its effects wear off within 45-60 minutes, and it causes no physical injury to the person sprayed. In extremely rare incidents, its use has contributed to injuries to the eyes, or even to death when combined with factors such as positional asphyxia, or confinement in small areas contaminated by the pepper spray.

Delivery Systems. Pepper spray units range from small "keychain" size units carried by individuals for self-defense, to larger duty-belt size canisters carried by police and security officers, to fire extinguisher-sized units used by police to disperse crowds, to built-in dispensers in correctional facilities used to quell prison riots.

The delivery patterns available include:

- ballistic stream
- splatter stream
- cone-shaped mist
- pepper foam
- pepper gel
- pepper balls (fired from launching guns)

Stream-type systems are best when spraying into a wind, but may be hard to hit with in a dynamic self-defense situation. Foam is the worst when fired into a wind. Mist is easier to hit with in a close-range attack, but doesn't go far, is greatly affected by wind, and badly cross-contaminates indoor areas.

Pepper gel has been selected for use inside the [REDACTED] headquarters or other buildings because it travels a reasonable distance, and has the least cross-contamination of any of the available systems.

Pepper spray units typically include a carrier (alcohol or water with propylene glycol) in which the pepper extract is dissolved or suspended, and a pressurizing agent, typically air. Alcohol carriers involved the risk of flammability. For instance, use of pepper spray with alcohol carriers has sometimes resulted in fires, or burns to subjects sprayed, when an ignition source is present (Taser, cigarette, spark, stove, barbecue grill, etc.).

Parts of the Pepper Spray/Gel Unit typically include the:

- Canister
- Actuator ("button")
- Safety (on some units)
- Nozzle (or "orifice")
- Carrier with pepper extract
- Pressurizing agent

Pepper spray units are typically marketed with information about the percentage of OC (often in the range of 6% to 10%), and/or the "hotness" of the OC, expressed in "SHU's" (Scoville Heat Units). Dating to 1912, the Scoville Scale is named after Wilbur Scoville, a pharmacist. It was for many years based on the subjective tasting of peppers by experienced pepper growers. The best manufacturers now test for hotness by liquid chromatography.

Legal Issues. You are legally prohibited from taking pepper spray/pepper gel into courthouses, into the secured areas of airports, and onto passenger airliners. Personal-size pepper spray units with safety devices to prevent accidental firing can be placed in checked luggage – NOT IN CARRY-ON LUGGAGE. In New Jersey, non-police can only possess pepper spray units that do not contain more than 3/4 ounce of liquid. Possession of pepper spray/pepper gel by non-police is prohibited in Canada, although you may possess larger canisters of "bear repellent," which often have up to a 15% concentration of OC.

In Pennsylvania and most other states, the use of pepper spray/pepper gel by a private individual is considered justifiable, "reasonable force" when used against a subject who is using, or threatening to use, unlawful force against the pepper spray user or another innocent person, if the unlawful force is such as would be likely to cause physical injury. Your fear that someone is about to do you harm must be objectively reasonable, not a "subjective" fear – that is, a personal fear that others would not agree is reasonable.

Target Area. Pepper spray or pepper gel should be aimed at the subject's eyes and nose. Moving the unit in a side-to-side pattern while spraying may be necessary to hit the eyes and nose of a moving subject.

Duration of Discharge. With personal-size units such as the keychain sized unit we are training with, the spray should be activated for between 1/2 second and one second. Do not try to douse or drench the subject with spray. A short spray that hits the subject's eyes/nose/face is typically effective, and will leave you with more OC left in the unit in case you miss and have to spray the subject again, or spray other attackers. Larger "duty belt size" units such as the Mark III should be used in quarter-second (1/4 second) bursts.

Effects of Pepper Spray/Pepper Gel. When pepper spray or pepper gel hits the subject in the eyes/nose/face, the common reaction is the involuntary shutting of the eyes, and possibly difficulty breathing, as the OC can cause inflammation and constriction of the airways. Subjects often put their hands over their faces, and may drop to one or both knees or sit down on the ground. Less often, subjects may become disoriented or nauseated. If YOU are pepper sprayed and must move, shoot, or otherwise defend yourself or others, you can hold your eyelids open by using your thumb and forefinger to allow you to see to perform these tasks.

Treatment after being pepper-sprayed. The standard treatment after exposure to pepper spray or pepper gel is to flush the face with copious quantities of cool water. If possible, hold the eyelids open while flushing the eyes gently with water. Remove contact lenses before doing this. Do not rub the eyes, as this may grind pepper particles into the eyes. Do not use salves or ointments, as these may trap the pepper against the skin, prolonging the effects. Do not duck the face into a bucket or sink full of water, or use a swimming pool, as the pepper will float on the water's surface, and continue the effects. If possible, remove clothing that has been soaked or affected by the pepper spray or gel. Expose the subject sprayed to fresh air, if possible using a fan or going outside. Mild shampoo (such as Johnson & Johnson's "no tears" baby shampoo) is sometimes used to help clean the pepper from one's hair. Take care to get all remaining pepper out from underneath one's nails, lest it affect one's eyes when one touches one's face, even a day later.

If you have pepper sprayed someone – temporarily blinding them – you are arguably responsible for secondary injuries they may suffer by falling down a stairway, wandering out into traffic, etc. Accordingly, if feasible, maintain control of such subjects until police arrive.

If subjects have significant trouble breathing, continue to have serious effects from the pepper, ask for medical assistance, or become non-responsive, call EMS immediately, and be prepared to administer CPR or provide oxygen if necessary.

The use of pepper spray/pepper gel should be avoided if infants or very elderly individuals will likely be affected, or individuals with known respiratory problems.

If you use Pepper Gel at any [REDACTED] facility, the police and an ambulance should typically be called immediately. When transferring custody to the police of a subject who has been pepper sprayed (or sprayed with pepper gel), inform the police that the subject has been sprayed, and inform the police whether or not the subject's face has been flushed with water, etc. If OC is used inside, open doors and windows, ventilate the building with fans if necessary, and clean affected areas with soap and water.

Maintenance. Replace pepper gel units after any use, or at the intervals recommended by the manufacturer. Annual replacement is sensible. Units left in a car in the

summer sun may leak. Units left outside for extended periods in freezing weather may not work well until warmed.

EMANUEL KAPELSOHN - Recent Deposition and Trial Testimony

1. Commonwealth of Pennsylvania v. Jeremy Hamborsky, Court of Common Pleas, Fayette County (2014). Trial Testimony (2014).
2. Estate of Shafer v. City of Elgin, Eric Kilpatrick, et al., U.S.D.C., District of Oregon, Pendleton Division, Case No. 2:12-cv-00407-SU. Trial testimony (2014).
3. Schuoler v. Dupnik, et al., Superior Court, State of Arizona, Pima County, No. C-20140079 Deposition (2014).
4. Leapers, Inc. v. SMTS, LLC, d/b/a TUFF ZONE, et al., U.S. District Court, Eastern District of Michigan, Southern Division, Civ. No. 2:14-cv-12290-RHC-DRG. Deposition testimony (2015).
5. Leone v. Towanda Borough,, et al., U.S. District Court, Middle District of Pennsylvania, Case No. 3:2-AT-06000. Trial testimony (2015).
6. Adams v. Sheriff Ric L. Bradshaw, Palm Beach County Sheriff's Office, U.S. District Court, Southern District of Florida, Case No. 9:14-CV-80403. Deposition (2015).
7. Antoquan Watson Shooting case, Atlantic County MCU Case No. MCU 14-019. Testimony before Atlantic County Grand Jury (2015).
8. Pickett v. City of Chicago, et al., U.S. District Court, Northern District of Illinois, Eastern Division, No. 12C-4118. Deposition (2015).
9. Shaun Brown Shooting. Testimony before Atlantic County Grand Jury (Sept. 29, 2015).
10. Chavez v. Glock, Inc., et al., Superior Court, State of California, County of Los Angeles, Central Division, Case No. BC394135. Deposition (2015).
11. McDonald v. Dupnik, Pima County, et al., Superior Court of State of Arizona, County of Pima, Case No. C20142895. Deposition (2015).
12. Schuoler v. Nanos, et al., Superior Court of State of Arizona, County of Pima, Case No. C20140079. Trial testimony (2015).
13. Commonwealth of Pennsylvania v. Michael Miller, Centre County Court of Common Pleas, Bellefont, PA. Trial testimony (2015).
14. Tremaine Dantzler Shooting. Testimony before Atlantic County Grand Jury (December 10, 2015).

15. Roxette Ojeda v. City of Fort Pierce, et al., Circuit Court, 19th Judicial District, in and for St. Lucie County, FL, Case No: 56:2014-CA-001732 (NS). Deposition (2016).
16. Commonwealth v. John Elliott Torres, York County Court of Common Pleas, No. CP-67-CR-3515-2014. Trial testimony (2016).
17. Commonwealth of Pennsylvania v. Baur, Court of Common Pleas, Philadelphia County, PA, No. CR-10543-2014. Trial testimony (2016).
18. Little v. Academy, Ltd, Bushnell, et al., 334th Judicial District, Harris County, TX, Cause No. 2014-52373. Deposition (2016).
19. Russell Hicks v. Camden County Correctional Facility, New Jersey Office of Administrative Law, OAL Docket No. CSR 13494-2012-S. Hearing testimony (2016).
20. State of Maryland v. James Cooper, Circuit Court, Carroll County, No. 06K15046865. Trial testimony, 2016.
21. State of New Jersey v. Stephen Schweizer, Superior Court, Cape May County, Indictment #15-04-00334-I. Trial testimony (2016).
22. State of Maryland v. Wesley Cagle, Circuit Court, Baltimore City, Case No. 115246012. Trial testimony (2016).
23. Chatman v. City of Chicago, U.S. District Court, Northern District of Illinois, Eastern Division, Case No. 13 CV 5697. Trial testimony (2016).
24. State of Iowa v. Steve W. Fordyce II, District Court, Black Hawk County, Crim. No. FECR208081. Trial testimony (2016).
25. State of Louisiana v. Jody Ledoux, Fourth Judicial District, Parish of Oachita, No. 15-F-000153. Trial testimony (2016).
26. Jones v. Allen, U.S. District Court, District of Maryland, C.A. No. 8:15-cv-01173-GJH. Trial testimony (2016).
27. S.R. Nehad, et al. v. Shelley Zimmerman and City of San Diego, et al., U.S. District Court, Southern District of California, Case No. 15-cv-1386-WQH-NLS. Deposition (2017)
28. Green v. City of Chicago, Circuit Court of Cook County, IL, No. 2013 L 014041. Deposition and trial testimony (2017).
29. Schueller v. Cordrey, et al., Superior Court of the State of Delaware, Case. No.: N14C-10-201 EMD. Trial testimony (February 23, 2017).

30. Pratt v. City of Camden, et al., U.S. District Court, District of New Jersey, Docket No. 1:13-cv-06830-JBS-AMD. Deposition (2017).
31. State of Minnesota v. Yanez, Ramsey County District Court, No. 62-CR-16-8110. Trial testimony (2017).
32. Williamson v. Chicago Police Officer Wilfredo Ortiz, et al., U.S. District Court, Northern District of Illinois, Eastern Division, No. 14 CV 6397. Deposition (2017)
33. State of New Jersey v. Sergio DeRosa, Superior Court, Atlantic County, NJ. Trial testimony (2017)
34. Estate of Angel Lopez v. City of San Diego, U.S. District Court, Southern District of California, Case No. 13cv2240 GPC (MDD). Trial testimony (2017)
35. State of Ohio v. Robert Burry, Lake County Court of Common Pleas. Trial testimony (2017)
36. State of Arizona v. Philip Mitchell Brailsford, Maricopa County Superior Court, No. CR2016-004743-001 DT (2017). Trial testimony (2017)
37. Wallace v. City of Alexander, et al., U.S. District Court, Eastern District of Arkansas, No. 4:13-CV-00748-BRW (2017). Trial testimony (2017).
38. State of Wisconsin v. Devon Kraemer. Circuit Court, Milwaukee County, Criminal Division. Case number 2016-CF-005003. Trial testimony (2018).
39. Mason v. City of Lafayette, et al., U.S. District Court, Western District of Louisiana. Civil Action No. 6:12-CV-02939. Trial testimony (2018)
40. State of Minnesota v. Carl Patrick Anderson, Chisago County District Court, Tenth Judicial District, File No. 13-CR-17-159. Trial testimony (2018)
41. Velazquez v. City of Camden, et al. Superior Court, Camden County, New Jersey. Docket No. CAM-L-1350-10. Trial testimony (re-trial after appeal, 2018).
42. LeGrier v. City of Chicago, et al., Circuit Court, Cook County, Illinois, No. 15 L 12964. Trial testimony (2018).
43. Washington, D.C. Metropolitan Police Trial Board Hearing in Shooting of Terrence Sterling by Police Officer Brian Trainer. Hearing testimony (2018).
44. Michael Rogers v. Trooper Matthew Morgan and State of Delaware, Delaware Superior Court, C.A. No. N15C-07-259 WCC. Trial testimony (2018).

45. Commonwealth of Pennsylvania v. Razawn Moore, Court of Common Pleas, Dauphin County, No. 2228CR2016. Trial testimony (2018).
46. Commonwealth of Pennsylvania v. Stephen Spencer, Court of Common Pleas, Luzerne County, Criminal Division, No. 2491 of 2017. Trial testimony (2018).
47. Cockerham v. City of Chicago, et al., Circuit Court of Cook County, IL, Case No. 16 L 1682. Deposition and trial testimony (December 2018).
48. Siler v. City of Kenosha, et al., U.S. District Court, Eastern District of Wisconsin, Case #17-CV-1324. Deposition (December 2018).
49. Garrit v. City of Chicago, et al., U.S. District Court, Northern District of Illinois, Eastern Division, Case. No. 16-C-7319. Deposition (2019).
50. Commonwealth v. Barbara Rogers, Court of Common Pleas, Monroe County, PA. Docket No. 2045 CR 2017. Trial testimony (March 2019).
51. Stephens v. Ric Bradshaw, Sheriff, Palm Beach County Sheriff's Office, et al., Claims Bill Hearing before Special Masters of the Florida Legislature. Hearing testimony (March 2019).
52. Golatte v. City of Chicago, U.S District Court, Northern District of Illinois, Eastern Division, No. 17 CV 929. Deposition (2019).
53. State of Minnesota v. Mohamed Noor, Hennepin County District Court, Minneapolis, MN, MNCIS No. 27-CR-18-6859. Trial testimony (2019).
54. In the Matter of Charges Filed Against Police Officer Robert Rialmo, Case No. 18 PB 2950 Before the Police Board of the City of Chicago. Hearing testimony (2019).
55. Etheredge v. City of Chicago, et al., Circuit Court, Cook County, Illinois, County Department, Law Division, No. 17 L 2841. Deposition (2019).
56. Commonwealth of Pennsylvania v. Idean Fulton, Court of Common Pleas, Philadelphia County, PA, Docket No. CP-51-CR-0012441-2010. Trial testimony (2019).
57. State of New Hampshire v. Joseph Brown, Superior Court, Grafton County, Docket No. 215-2019-CR-204. Deposition (2020).
58. Commonwealth of Pennsylvania v. Jonathan Robert Roselle, Court of Common Pleas, Lehigh County, PA, Criminal Division, Case No. CR-4106-2018. Trial testimony (2020).
59. Testimony by invitation before the Pennsylvania General Assembly, House Judiciary Committee, hearing on Police Use of Force and Department Accreditation. Sept. 15, 2020.

60. Miller v. Becerra, U.S. District Court, Southern District of California, Case No. 3:19-cv-01537-BEN-JLB. Live and videoconference hearing and trial testimony (2020, 2021).
61. Haywire Outfit v. City of Yakima, et al., Superior Court, State of Washington, Yakima County, Case No. 19-2-01964-39 (deposition, 2020).
62. State of New Hampshire v. Joseph Brown, Superior Court, Grafton County, Docket No. 215-2019-CR-204. Hearing (2021).
63. Sperling v. Clark Rifles, Superior Court, State of Washington, Clark County, No. 16 2 024312, Deposition (2021).
64. Taylor v. Barsony Holsters & Belts, Inc., U.S. District Court, District of Nebraska, No. 8:18-cv-00210. Deposition (2021).
65. Estate of Sean O'Brien v. City of Livingston, et al., U.S. District Court, District of Montana, Billings Division, No. CV-18-106-BLG-SPW-TJC. Trial Testimony (2021).
66. Estate of Sean O'Brien v. City of Livingston, et al., U.S. District Court, District of Montana, Billings Division, No. CV-18-106-BLG-SPW-TJC. Trial Testimony (2021; re-trial after mistrial).
67. State of Mississippi v. Eaton, Circuit Court of Tippah County, Cause No. 2019-068, 2019-133. Trial Testimony (2021).
68. Commonwealth of Kentucky v. Cundiff, Muhlenberg Circuit Court, Case No. 20-CR-00066. Trial Testimony (2021).
69. In re. the Matter of the Welfare of Logan D. Keranen, District Court, Seventh Judicial District of Minnesota, Criminal Division, File No. 03-JV-20-1872. Trial Testimony (2022).
70. Commonwealth of Pennsylvania v. Luis Daniel Ortiz, Court of Common Pleas, Northampton County, Criminal Division. Trial Testimony ((2022)
71. State of West Virginia v. Thomas McCallister, Circuit Court, Cabell County (Huntington), WV. Trial Testimony (2022).
72. Caravana v. On Q Protection and Investigation Services, et al., Circuit Court, Cook County, IL, County Dept., Law Division, No. 19 L 7900. Deposition (2022)
73. Commonwealth of Pennsylvania v. Christopher McKenzie, Court of Common Pleas, Greene County. Trial Testimony (2023).

74. State of New Jersey v. James Ray III, Essex County Superior Court, Indictment 19-0200437, Trial Testimony (2023).
75. Roman v. City of Chicago, et al., U.S. District Court, Northern District of Illinois, Eastern Div., Case No.: 20 CV 01717, Deposition (2023).
76. Coxie v. Academy Ltd. d/b/a Academy Sports and Outdoors, Court of Common Pleas, Seventh Judicial Circuit, State of South Carolina, County of Spartanburg, Civil Action No. 2018-CP-42-04297. Deposition (2023).
77. Association of New Jersey Rifle & Pistol Clubs, et al. v. Platkin, et al., No. 3:18-10507, and Ellman, et al. v. Platkin, et al., No. 3:22-4317, U. S. District Court, District of New Jersey. Deposition (2023).

Emanuel Kapelsohn – Cases Involving Pepper Spray:

State of New Jersey v. Joseph Whittick, Municipal Court, City of Camden. Expert for defendant corrections officer in prosecution for use of pepper spray against assaultive inmate. Trial testimony (2007)

Leone v. Towanda Borough, et al., U.S. District Court, Middle District of Pennsylvania, Case No. 3:21-AT-06000. The case claimed use of excessive force by the Pennsylvania State Police. Pepper spray was among the types of force used. I served as an expert witness for the police. Trial testimony (2015).

Commonwealth of Massachusetts v. Kevin Jacobus, South Boston District Court, Docket No. 1703 CR 0102. (2017) I served as a pepper spray expert for the defense in a case in which a criminal charge was brought against a private individual for use of pepper spray in self-defense. I wrote an expert report, after which the charges against the defendant were dismissed.

United States of America v. Zachary Johnson, U.S. District Court, District of Columbia, No. 1:22 - CR – 11 (RJL). Expert for Federal Defender's Office on pepper spray used at January 6 incident in Washington D.C. Expert report. After submission of my expert report, the case was plea bargained. (2023)

DeLuca, et al. v. City of Pittsburgh, et al., U.S. District Court, Western District of Pennsylvania, Civil Action No. 18-1567. The case involved, among other things, use of pepper spray by the Pittsburgh Police Department. Expert report. Case still pending. My deposition has been scheduled in October.

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2 Your Internal Billing Reference

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